

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ILLINOIS STATE PAINTERS WELFARE)	
FUND AND PAINTERS DISTRICT COUNCIL)	
NUMBER 58,)	
)	
Plaintiffs,)	
)	
vs.)	No. 08-cv-180-JPG
)	
AL RAMSDALL d/b/a CUSTOM DECORATORS)	
and AL RAMSDALL, INDIVIDUALLY,)	
)	
Defendant)	

MEMORANDUM AND ORDER

This matter comes before the Court on the Notice of Dismissal (Doc. 19) pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) filed by plaintiff Illinois State Painters Welfare Fund and Painters District Council Number 58. Rule 41(a)(1)(A)(i) allows a plaintiff to dismiss an action without a court order at any time before the opposing party serves an answer or a motion for summary judgment. No defendant has served an answer or motion for summary judgment in this case. Because the plaintiff has an absolute right to dismiss this case at the present time, the Court finds that this action is **DISMISSED without prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: January 14, 2010.

s/ J. Phil Gilbert
United States District Judge